

UNITED STATES DISTRICT COURT
DISTRICT OF NORTH DAKOTA
WESTERN DIVISION

LISSA YELLOW BIRD-CHASE,

Plaintiff,

Case No. 1:22-cv-00156-DMT-CRH

v.

**MOTION TO WITHDRAW AS
COUNSEL FOR PLAINTIFF**

THE UNITED STATES OF AMERICA,

Defendant.

Pursuant to Local Rule 1.3(F)(3), the undersigned counsel respectfully move the Court for an Order to permit current counsel of record for Plaintiff Lissa Yellow Bird-Chase to withdraw as her counsel. Specifically, (1) Andrew Malone and Stephanie Amiotte of the American Civil Liberties Union of North Dakota; (2) Anna Prakash and Brock Specht of Nichols Kaster, PLLP; and (3) Matthew Helland of Nichols Kaster, LLP request permission to withdraw as counsel for Plaintiff, Lissa Yellow Bird-Chase, in the above-captioned matter. This motion is supported by good cause. Plaintiff's Counsel initiated the suit based on facts believed to be true at the time the Complaint was filed on September 28, 2022. (ECF No. 1) However, information subsequently acquired through discovery, as well as privileged information acquired during review of the same, invoke professional and ethical considerations which now require termination of legal representation. *See Cabo Holdings, LLC v. Engelhart*, No. 07-cv-3524-PJS-RLE, 2008 WL 4831757, at *4 (D. Minn. Nov. 3, 2008).

To date and despite diligent efforts to discern the same, Plaintiff's counsel is unaware of whether Plaintiff intends to seek other counsel or dismiss her case. Plaintiff's contact information

is: 1402 Bitter Root Street #10, White Shield, ND 58540; sahnishscouts@gmail.com; 701-893-6841. *See* State of North Dakota Rules of Court 11.2(b).

A copy of this motion was served upon Plaintiff Lissa Yellow-Bird Chase on April 20, 2023, by U.S. Mail and by email at the address listed above.

Dated this 20th day of April, 2023.

NICHOLS KASTER, PLLP

/s/Anna P. Prakash

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**AMERICAN CIVIL LIBERTIES UNION OF
NORTH DAKOTA**

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I certify that on the 20th day of April, 2023, I electronically filed the foregoing motion with the Clerk for the Court for the United States District Court for the District of North Dakota using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

Additionally, I certify that pursuant to Local Rule 1.3(F)(3) that I also served a copy on Plaintiff Lissa Yellow-Bird Chase by U.S. Mail and by email at the following:

Lissa Yellow Bird-Chase
1402 Bitter Root St, #10
White Shield, ND 58540
sahnishscouts@gmail.com

This 20th day of April, 2023.

/s/Anna P. Prakash

Anna P. Prakash